

APPROVED: Meeting No. 26-93

ATTEST: *Paula F. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 24-93

June 14, 1993

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on June 14, 1993, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Rose G. Krasnow

Councilmember Dave Robbins

ABSENT

Councilmember James T. Marrinan (On business)

In attendance: City Manager Bruce Romer, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Mr. Romer noted that the Mayor and Council had just returned from a very memorable Flag Day ceremony co-sponsored by the American Legion, Elks Lodge, at the Senior Center.

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2. An Ordinance appropriating funds and levying taxes for FY94 was scheduled on the Mayor and Council's agenda later in the evening. Mr. Romer acknowledged the informative public input process and the thoughtful comments and suggestions made that staff attempted to incorporate into the final budget document.

3. A new program to be aired on Cable 53 was in the final stages of preparation. The 30 minute program will pull together all the historical elements of the project and bring viewers up to date on the Transitional and Development Agreement.

Re: Presentation of annual
contributions of Rockville
Seniors, Inc. (RSI).

Murray Stein, and some of the Senior Center members who work in the Center's Thrift Shop, Gift Shop, Bingo Event and Special Events, presented the Mayor and Council with a check in the amount of \$31,000; \$11,000 to go towards the annual operating budget of the Rockville Senior Center and \$20,000 representing the 1993 contribution to the Center's five-year capital program.

Mayor Duncan noted that the Mayor and Council had a proclamation to present this evening, but the Citizens Forum portion of the meeting would be next on the agenda.

Re: Citizens Forum

1. Helen Heneghan, President of Rockville Chamber of Commerce, presented to the Mayor and Council, copies of the 19th edition Chamber Community Guide.
2. John duFief, President of Glenora Hills Civic Association and Upper Hill Civic Association referenced correspondence sent to Assistant City Manager Rick Kuckkahn

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concerning the impact of future County development on residential streets and asking the City to take the lead and frame a policy on short-cut traffic through residential areas. He displayed a map showing three subdivisions with 117 houses being built, resulting in increased traffic spilling out onto Veirs Drive. He said the residents' main concern was the cut-through traffic generated by road plans. Mr. duFief requested that the Mayor and Council advise the County on the concerns raised.

Councilmember Coyle asked the City Manager for an update on the outcome of various meetings regarding this issue and the options the City was looking at to control speed and address safety issues.

Councilmember Krasnow noted that the City had previously focused on the speeding problems but a year had passed and there had not been any follow through. Mayor Duncan added that the City had alerted the County about this problem; however it was obvious that the City will have to take the lead on this.

3. John D. Willis, a Rockville citizen, expressed his personal disapproval of the Proclamation and presented a copy of his testimony to the City Clerk.

Mayor Duncan read the proclamation and explained how it came to the City's attention for consideration. He said the request was originally presented to him and after consultation with the Council and the City's Human Rights Commission, he thought the proclamation, as amended, was a good way to reaffirm its policy of anti-discrimination against the gay and lesbian community and all residents of the City. Mayor Duncan said there were gay and

lesbian members of the Rockville community who contributed significantly by volunteering to serve on the City's boards and commissions and assisting with City programs.

4. Linda Case, resident of Rockville for 12 years, said she was very concerned about the Gay and Lesbian Interest Consortium (GLIC) coming into the Rockville community. She read a letter written to Montgomery County citizens in protest of GLIC's plans for a gay pride picnic scheduled for June 26th.

5. Unidentified Speaker (Volunteer for Stepping Stones Shelter) on behalf of Stepping Stones Shelter, thanked the Mayor and Council for the opportunity to share thoughts on this issue, and she asked the Mayor and Council to reconsider the decision to not allocate funding for the Shelter in FY94.

6. Denise Wieninger questioned whether the Mayor and Council were actually sponsoring a parade for GLIC on June 26 and asked if City resources were being expended on the picnic planned by GLIC.

7. Lloyd Leifer, Representing GLIC, responded to the comments made by earlier speakers and said that the Proclamation as read was not what he had originally requested. He said Ms. Veronica Colfer's "A Mother's Plea" was a true statement but it did not belong in the proclamation. Mr. Leifer said that GLIC needed the Mayor and Council's support and he hoped to get their full support again next year.

8. Unidentified Speaker commented that some of the issues discussed this evening would never have been discussed 30 years ago. She clarified some of the concerns raised

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and said that the issue was not whether gays and lesbians have contributed to the community; the issue was the lifestyle and behavior that gays and lesbians displayed.

9. Carol Hannaford, Member, Rockville Human Rights Commission thanked the Mayor and Council for having the courage to recognize June 26, 1993 as Gay and Lesbian Pride Day. Ms. Hannaford stated that she was a lesbian and she commented on some of the points raised.

10. Andrew Martin, Foxhall Road commented on the Town Center project and asked if the Mayor and Council had ever considered an advisory group to assess the project and get input on what the citizens wanted to see developed in Town Center.

Mayor Duncan reminded Mr. Martin that this was only a beginning; he said the Mayor and Council have been getting citizen input on a regular basis, and the Planning Commission would be having public meetings to provide an opportunity for public comment and to get feedback on the project.

11. Dr. Elizabeth Kingsberry commented on the Proclamation and said her personal feeling was that the Mayor and Council had selected a group of people and named it "gay pride." She suggested that being gay was nothing to be proud of and she suggested that the Mayor and Council call it gay appreciation.

12. Rebecca Schwisow said she was confused that if there was already an acclamation for the City's human rights legislation, why were the Mayor and Council making a reacclamation.

Re: Proclamation recognizing June 26,
1993 as Gay and Lesbian Pride
Day.

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Proclamation No. 9-93

Councilmember Krasnow moved acceptance of the Proclamation. Ms. Krasnow commented that it always distressed her that people were so quick to discriminate against others because of their differences.

Councilmember Coyle said it was distressing to hear the level of feelings expressed this evening; however, it was an opportunity for others to come out and express their opinions on the issue. Mr. Coyle said the issue of homosexuality was open to debate and that individual rights were paramount under the Constitution; he said the City was obligated to honor these individual rights and accept homosexuals as contributing members of this society.

Councilmember Robbins said he supported both Councilmembers' comments but it made him realize that there were some very real problems and he cited sexual harassment as an example. Mr. Robbins said that when one looked at the issue of sexual harassment, with Supreme Court nominees, school teachers, etc., people should not forget that the norm was heterosexuality.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Proclamation recognizing June 26, 1993 as Gay and Lesbian Pride Day was adopted. The full text of the Proclamation can be found in Proclamation File No. 7 of the Mayor and Council. Lloyd Leifer, representing GLIC accepted the Proclamation.

Re: Appointments to Rockville
Housing Authority

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Eskender Mulugeta and Regina McAndrew were appointed to serve on the Rockville Housing Authority.

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Re: Adoption of Minutes

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 17-93 (May 10, 1993) were approved as written.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the minutes of Meeting No. 18-93 (May 11, 1993) were approved as written.

Councilmember Krasnow requested that the Minutes of Meeting No. 19-93 reflect that the Wootton Parkway Special Assessment public hearing was continued because of a request made by representatives of Woodmont Country Club. Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 19-93 (May 17, 1993) were approved as amended.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 20-93 (May 24, 1993) were approved as written.

Re: Consent Agenda

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the following Consent Agenda Items were approved.

- (A) Award of Bid #72-93 for tree removal services to Fairfax Tree Service in the amount of \$24,670; and cancellation of prior award to Timberline Tree Experts, Inc. for failure to comply with the bid specifications.

Sufficient funds are allocated in various Recreation and Parks Department accounts.

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- (B) Award of Bid #89-93 for the purchase of the Automated Sign Making System to Visual Systems Co., Inc. of Rockville in the low bid amount of \$20,913.60.

Sufficient funds (\$30,000) are budgeted in account #110-850-0705-0437.

- (C) Award of Contract 92-93 for the purchase of 10 electric valve actuators for the Water Treatment Plant for the low bid, from Ronco Services, Burke, Virginia of \$21,690.

Eventually, 24 hydraulic/ pneumatic valves will be replaced with electric valves for increased reliability.

- (D) Award of Bid #2-94 for providing police uniforms for Year I to R&R Uniforms, Inc., at the low bid price of \$12,229.75 with option to extend for Year II at a price of \$12,750.75 for a total award of \$24,980.50.

This multi-year bid is within budget for the first year and will be budgeted for in FY95.

- (E) Award of Bid #3-94, for pest control services at City facilities to Pest Control Services of Columbia, MD for the low bid amount of \$27,150.

Sufficient funds are budgeted in the Recreation and Parks accounts.

- (F) Award of Requirements Contract for Electrical Services to Kolb Electric, Inc. of Washington, D.C. on Montgomery County Government Contract #03515-AA.

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Sufficient funds for this award are budgeted in various department accounts.

- (G) Award of Contract for the purchase of street lights for West Montgomery Avenue to the low bidder, Spring City Electrical Mfg. Company of Spring City, PA, in the amount of \$47,450.

This project entails the purchase of 30 wooden pole-mounted light fixtures, 10 matching pole and light fixture combinations and 30 single outlets to be used in conjunction with the wood pole-mounted fixtures.

- (H) Receipt of April financial reports.

The attached reports summarize the financial results of City operations for the period from July 1, 1992 through April 30, 1993.

- (I) Proclamation declaring June 14, 1993 as Flag Day.

Re: Approval of waiver for on-site SWM for the construction of a single family house at 314 Beall Avenue in the Watts Branch drainage area, and the acceptance of \$4,000 contribution for the off-site SWM fund.

The runoff from this site is conveyed to the Woodley Gardens South SWM facility, which is authorized for construction in FY95. Waiver category: II-A-1.

Mr. Romer noted that the project did fit within the category scheme for recommending approval and fit all other parameters. Mr. Romer said the Council adopted the

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interim set of stormwater waivers and this particular waiver fit within those guidelines.

Councilmember Krasnow asked the City Manager to get information regarding the schedule for the completion of Woodley Gardens South SWM Facility.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Mayor and Council granted the waiver of on-site SWM and accepted the contribution of \$4,000 for the SWM program.

Re: Adoption of Resolution to authorize the City Manager to execute a cooperation agreement with Montgomery County under the Federal Community Development Block Grant Program (CDBG) for Fiscal Years 1994, 1995, and 1996.

Resolution No. 14-93

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the City Manager was authorized to execute a cooperation agreement with Montgomery County.

Re: Adoption of Resolution to close accounts for completed capital projects.

At the end of each fiscal year, the Mayor and Council provide formal authorization to close completed capital projects. Fourteen projects are slated for closure.

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Resolution No. 15-93

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the Resolution was adopted to close accounts for completed capital projects. Councilmember Krasnow questioned whether the projects listed were done and had remaining funds left over. Ms. Krasnow also asked whether the bridge project had been abandoned.

Finance Director Kevin Deckard responded that most of the projects had been physically completed, and the Resolution was to close projects that had been abandoned or reconfigured in another form of the City's budget. He explained that the elevator over the bridge was not being abandoned, but the project was not completed and he clarified that the funds would be released back into the capital projects fund.

Re: Adoption of Resolution to designate various capital projects to be funded on a reimbursement basis by the City's next bond issue.

Resolution No. 16-93

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the Resolution designating various capital projects to be funded on a reimbursement basis by the City's next bond issue was adopted.

Re: Adoption of Ordinance to appropriate funds and levy taxes for Fiscal Year 1994. The ordinance establishes the operating and capital budgets for Fiscal Year 1994. The proposed

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property tax rate is 80.66
cents per \$100 of assessed
valuation.

Ordinance No. 9-93

Councilmember Coyle congratulated staff on an excellent budget. He said he was pleased that the City was able to keep service levels high without having to raise the taxes and he congratulated the Mayor and City Manager for directing city operations to allow costs to be kept down. He said despite budget constraints, the City has been able to complete some important projects, i.e., completing accessibility projects as well as meeting other special needs.

Councilmember Robbins said it was very satisfying to commend the efforts of the staff on the budget. He commented that this would be his final budget adoption as a Councilmember and said that from six years ago to the where the City was now reflected a long time historical perspective on the priorities set many years ago and accomplished. He commended Mr. Romer's department heads and said that having been a department head, he knew it was not easy to manage programs by finding more efficient and less costly ways to accomplish projects while maintaining employee morale.

Councilmember Coyle commented that there were a tremendous number of agencies who had asked the City for assistance and Mr. Romer had developed a fair system to make as many and as equitable contributions to these organizations. He said the fact that some programs were not funded did not mean the City did not feel those programs were without merit; Mr. Coyle noted that the Mayor and Council could consider these at some future point.

Councilmember Krasnow said the Mayor and Council do make the budget decisions based on the input of many individuals and groups, and the Council had to prioritize the needs of

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all. Ms. Krasnow said that hopefully the Mayor and Council could reconsider these unmet needs in future budget years.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the Ordinance appropriating funds and levying taxes for Fiscal Year 1994 and establishing the operating and capital budgets for Fiscal Year 1994 was adopted.

Re: FYI/Correspondence

Mayor Duncan noted that the new road signs for the Civic Center Park look great.

Re: New Business

Councilmember Robbins said there seemed to be rush of activity on West Montgomery Avenue and asked if there was a completion date on the sidewalk replacement project.

Mr. Romer reported that the completion date communicated to the Mayor and Council had come and gone, but based on his knowledge, the City should see the final clean-up in a couple of weeks. Mr. Romer said that the City was planning a ribbon cutting ceremony and program involving the residential and commercial community along West Montgomery Avenue.

Mayor Duncan asked if the south side of road was going to be regraded.

Mr. Romer responded that the specifications would be the same and would apply to the south side and would be done with the final grading and clean-up, although efforts may not include the sidewalk excavation.

Mr. Coyle commented that the Flag Day ceremony held this evening was an excellent ceremony. He asked that the tape of the program be made available to the schools.

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Councilmember Krasnow thanked staff for a successful Hometown Holidays weekend. She said that people were calling and writing her letters commending the event.

Mayor Duncan said he thought it was the City's best Hometown Holidays ever.

Councilmember Krasnow said several months ago, she had asked what the City was doing to help the Rockville businesses and since that time, she had been receiving suggestions from Economic Development and the City Manager, and the City was ready to proceed with the idea of putting address numbers on the street signs on Rockville Pike.

Re: Next Meeting

Mayor Duncan noted that the Mayor and Council was meeting on June 21, 1993 for public hearings on: Annexation Petition X-114-93, Text Amendment Application T-135-93, Twinbrook Permit Parking District, and the continued public hearings on the Wootton Parkway Special Assessment. Mayor Duncan reminded everyone to join the Mayor and Council at Richard Montgomery High School for the July 4th Independence Day ceremony and fireworks show.

Re: Adjournment

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Council adjourned at 9:07 p.m. to reconvene immediately following in Executive Session, pursuant to Section 10-508(a)(1)(ii),(4) and (7) of the State Government Article, Annotated Code of Maryland to discuss personnel issues, to consider a proposal for a business to remain and expand in the city and to obtain legal advice from counsel regarding the proposal.